

107TH CONGRESS  
2D SESSION

# H. R. 4817

To improve the quality of, and provide, housing for elderly families.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2002

Mr. LAFALCE (for himself and Mr. FRANK) introduced the following bill;  
which was referred to the Committee on Financial Services

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## A BILL

To improve the quality of, and provide, housing for elderly families.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Elderly Housing Qual-  
5       ity Improvement Act of 2002”.

6       **SEC. 2. GRANTS FOR REPAIRS OF ELDERLY HOUSING.**

7       Section 202b of the Housing Act of 1959 (12 U.S.C.  
8       1701q–2) is amended by striking subsection (h) and in-  
9       serting the following new subsection:

10       “(h) **AUTHORIZATION OF APPROPRIATIONS FOR CAP-**  
11       **ITAL REPAIR GRANTS.**—For grants for activities under

1 subsection (a)(1) there is authorized to be appropriated  
 2 \$200,000,000 for each of fiscal years 2003, 2004, 2005,  
 3 2006, and 2007.”.

4 **SEC. 3. AFFORDABLE ASSISTED LIVING FACILITIES.**

5 Title I of the United States Housing Act of 1937 (42  
 6 U.S.C. 1437 et seq.) is amended by adding at the end  
 7 the following new section:

8 **“SEC. 36. GRANTS FOR CONVERSION OF PUBLIC HOUSING**  
 9 **TO ASSISTED LIVING FACILITIES.**

10 “(a) GRANT AUTHORITY.—The Secretary may make  
 11 grants in accordance with this section to public housing  
 12 agencies for use for activities designed to convert dwelling  
 13 units in eligible projects described in subsection (b) to as-  
 14 sisted living facilities or other facilities that expand the  
 15 availability of supportive services, to enhance the ability  
 16 of elderly persons to maintain independent living.

17 “(b) ELIGIBLE PROJECTS.—An eligible project de-  
 18 scribed in this subsection is a public housing project (or  
 19 a portion thereof) that is primarily occupied by elderly  
 20 persons.

21 “(c) APPLICATIONS.—Applications for grants under  
 22 this section shall be submitted to the Secretary in accord-  
 23 ance with such procedures as the Secretary shall establish.  
 24 Such applications shall contain—

1           “(1) a description of the proposed conversion  
2           activities for which a grant under this section is re-  
3           quested;

4           “(2) the amount of the grant requested;

5           “(3) a description of the resources that are ex-  
6           pected to be made available, if any, in conjunction  
7           with the grant under this section; and

8           “(4) such other information or certifications  
9           that the Secretary determines to be necessary or ap-  
10          propriate.

11          “(d) FUNDING FOR SERVICES.—The Secretary may  
12          not make a grant under this section unless the application  
13          contains sufficient evidence, in the determination of the  
14          Secretary, that there will be adequate funding for sup-  
15          portive services for residents of the facility converted with  
16          grant amounts.

17          “(e) SERVICE COORDINATORS.—An application for a  
18          grant under this section may include a request for, and  
19          the Secretary may provide funds under a grant under this  
20          section for, amounts to provide service coordinators to as-  
21          sist in the provision of supportive services for residents  
22          of the facilities converted with grant amounts.

23          “(f) SELECTION CRITERIA.—The Secretary shall se-  
24          lect applications for grants under this section based upon

1 selection criteria, which shall be established by the Sec-  
2 retary and shall include—

3 “(1) the extent to which the conversion is likely  
4 to provide assisted living facilities or supportive serv-  
5 ices that are needed or are expected to be needed by  
6 the categories of elderly persons that the assisted liv-  
7 ing facility is intended to serve;

8 “(2) the extent of financial need on the part of  
9 the applicant for funding to carry out the conversion  
10 activities proposed;

11 “(3) the extent to which the agency has evi-  
12 denced community support for the conversion, by  
13 such indicators as letters of support from the local  
14 community for the conversion and financial contribu-  
15 tions from public and private sources;

16 “(4) the extent to which the applicant dem-  
17 onstrates a strong commitment to promoting the au-  
18 tonomy and independence of the elderly persons that  
19 the assisted living facility or other supportive serv-  
20 ices facility is intended to serve;

21 “(5) the quality, completeness, and managerial  
22 capability of providing services to elderly residents,  
23 especially in such areas as meals, 24-hour staffing,  
24 and on-site health care; and

1           “(6) such other criteria as the Secretary deter-  
2           mines to be appropriate to ensure that funds made  
3           available under this section are used effectively.

4           “(g) DEFINITION.—For the purposes of this section,  
5           the term ‘assisted living facility’ has the meaning given  
6           such term in section 232(b) of the National Housing Act  
7           (12 U.S.C. 1715w(b)).

8           “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
9           is authorized to be appropriated for providing grants  
10          under this section such sums as may be necessary for each  
11          of fiscal years 2003, 2004, 2005, 2006, and 2007.”.

12   **SEC. 4. ELDERLY HOUSING SERVICE COORDINATORS.**

13          (a) AUTHORIZATION OF APPROPRIATIONS FOR FED-  
14          ERALLY ASSISTED HOUSING.—For grants under section  
15          676 of the Housing and Community Development Act of  
16          1992 (42 U.S.C. 13632) for providing service coordinators  
17          and for contracts under section 802 of the Cranston-Gon-  
18          zalez National Affordable Housing Act (42 U.S.C. 8011)  
19          to provide congregate services programs for eligible resi-  
20          dents of eligible housing projects under subparagraphs (B)  
21          through (D) of subsection (k)(6) of such section, there is  
22          authorized to be appropriated to the Secretary of Housing  
23          and Urban Development, for each of fiscal years 2003,  
24          2004, 2005, 2006, and 2007—

1           (1) such sums as may be necessary to renew all  
2       grants under such sections that were made for prior  
3       fiscal years; and

4           (2) \$30,000,000 for grants in addition to such  
5       renewal grants.

6       (b) PUBLIC HOUSING.—There is authorized to be ap-  
7       propriated to the Secretary of Housing and Urban Devel-  
8       opment, for each of fiscal years 2003, 2004, 2005, 2006,  
9       and 2007, for grants for use only for activities described  
10      in paragraph (2) of section 34(b) of the United States  
11      Housing Act of 1937 (42 U.S.C. 1437z–6(b)(2))—

12           (1) such sums as may be necessary to renew all  
13       grants for providing service coordinators and con-  
14       gregate services for the elderly and disabled in pub-  
15       lic housing that were made in prior fiscal years; and

16           (2) \$20,000,000 for grants in addition to such  
17       renewal grants.

18   **SEC. 5. MIXED FINANCE PILOT PROGRAM.**

19       (a) AUTHORITY.—The Secretary of Housing and  
20       Urban Development shall carry out a pilot program under  
21       this section to determine the effectiveness and feasibility  
22       of providing assistance under section 202 of the Housing  
23       Act of 1959 (12 U.S.C. 1701q) for housing projects that  
24       are used both for supportive housing for the elderly and

1 for other types of housing, which may include market rate  
2 housing.

3 (b) SCOPE.—Under the pilot program the Secretary  
4 shall provide, to the extent that sufficient approvable ap-  
5 plications for such assistance are received, assistance in  
6 the manner provided under subsection (d) for not more  
7 than five housing projects.

8 (c) MIXED USE.—The Secretary shall require, for a  
9 project to be assisted under the pilot program—

10 (1) that a portion of the dwelling units in the  
11 project be reserved for use in accordance with, and  
12 subject to, the requirements applicable to units as-  
13 sisted under section 202 of the Housing Act of  
14 1959; and

15 (2) that the remainder of the dwelling units be  
16 used for other purposes.

17 (d) FINANCING.—The Secretary may use amounts  
18 provided for assistance under section 202 of the Housing  
19 Act of 1959 for assistance under the pilot program for  
20 capital advances in accordance with subsection (d)(1) of  
21 such section and project rental assistance in accordance  
22 with subsection (d)(2) of such section, only for dwelling  
23 units described in subsection (c)(1) of this section. Any  
24 assistance provided pursuant to subsection (d)(1) of such  
25 section 202 shall be provided in the form of a capital ad-

1 vance, subject to repayment as provided in such sub-  
2 section, and shall not be structured as a loan. The Sec-  
3 retary shall take such action as may be necessary to en-  
4 sure that the repayment contingency under such sub-  
5 section is enforceable for projects assisted under the pilot  
6 program and to provide for appropriate protections of the  
7 interests of the Secretary in relation to other interests in  
8 the projects so assisted.

9 (e) WAIVER AUTHORITY.—Notwithstanding sub-  
10 section (c)(1) of this section, the Secretary may waive the  
11 applicability of any provision of section 202 of the Hous-  
12 ing Act of 1959 for any project assisted under the pilot  
13 program under this section as may be appropriate to carry  
14 out the program, except to the extent inconsistent with  
15 this section.

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